

WEDNESDAY, MAY 16, 2001

THIRTY-NINTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by John Warner, Cumberland Presbyterian Church, Union City, Tennessee.

Representative Pinion led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Ridgeway; personal reasons.

Representative Westmoreland; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 298: Rep(s). Bowers as prime sponsor(s).

House Joint Resolution No. 377: Rep(s). Boyer as prime sponsor(s).

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House Bill No. 774: Rep(s). Brooks as prime sponsor(s).

House Bill No. 1229: Rep(s). Bowers as prime sponsor(s).

House Bill No. 1278: Rep(s). Bowers as prime sponsor(s).

House Bill No. 1931: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 1932: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 1933: Rep(s). Pleasant and Shaw as prime sponsor(s).

ENROLLED BILLS

May 15, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 252, 331, 389, 581, 604, 804, 912, 1234, 1289, 1517, 1562, 1607, 1703; House Joint Resolution(s) No(s). 321, 339, 360; also, House Resolution(s) No(s). 85.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 15, 2001

The Speaker signed the following: House Bill(s) No(s). 252, 331, 389, 581, 604, 804, 912, 1234, 1289, 1517, 1562, 1607, 1703; House Joint Resolution(s) No(s). 321, 339, 360; also, House Resolution(s) No(s). 85.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 15, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 252, 331, 389, 581, 604, 804, 912, 1234, 1289, 1517, 1562, 1607, 1703; also, House Joint Resolution(s) No(s). 321, 339 and 360; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 15, 2001

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 252, 331, 389, 581, 604, 804, 912, 1234, 1289, 1517, 1562, 1607, 1703; also, House Joint Resolution(s) No(s). 321, 339 and 360.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 15, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 39, 69, 127, 188, 524, 635, 776, 1296, 1391, 1415, 1434, 1435, 1461, 1600, 1960; also, Senate Joint Resolution(s) No(s). 232, 233, 234, 235, 236, 237, 238, 240, 241, 242, 243, 244, 245, 246, 247, 248 and 271 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

May 15, 2001

The Speaker signed the following: Senate Bill(s) No(s). 39, 69, 127, 188, 524, 635, 776, 1296, 1391, 1415, 1434, 1435, 1461, 1600, 1960; also, Senate Joint Resolution(s) No(s). 232, 233, 234, 235, 236, 237, 238, 240, 241, 242, 243, 244, 245, 246, 247, 248 and 271.

MESSAGE FROM THE GOVERNOR

May 15, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 384, 470, 784, 1039, 1089, 1177, 1182, 1309, 1374, 1409 and 1620, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 253, 254, 256, 257, 258, 259, 260, 261, 262, 263, 265, 266, 268, 269, 270, 272, 273, 274, 275, 276, 277, 278 and 279; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 253 -- Memorials, Congratulations - St. George's Day School Chess Team. by *Norris.

Senate Joint Resolution No. 254 -- Memorials, Retirement - Judy Turner. by *Trail.

Senate Joint Resolution No. 256 -- Memorials, Academic Achievement - Kenda Johnson, Salutatorian, Westwood High School. by *Dixon.

Senate Joint Resolution No. 257 -- Memorials, Academic Achievement - Keleena Weatherall, Valedictorian, Westwood High School. by *Dixon.

Senate Joint Resolution No. 258 -- Memorials, Academic Achievement - Michael V. Hibler, Valedictorian, Whitehaven High School. by *Dixon.

Senate Joint Resolution No. 259 -- Memorials, Academic Achievement - Roby Green, Valedictorian, Oakhaven High School. by *Dixon.

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Senate Joint Resolution No. 260 -- Memorials, Academic Achievement - Lashandra Johnson, Salutatorian, Oakhaven High School. by *Dixon.

Senate Joint Resolution No. 261 -- Memorials, Academic Achievement - Syneca Woods, Valedictorian, Fairley High School. by *Dixon.

Senate Joint Resolution No. 262 -- Memorials, Academic Achievement - Tara Henry, Salutatorian, Fairley High School. by *Dixon.

Senate Joint Resolution No. 263 -- Memorials, Academic Achievement - Latoya R. Thomas, Salutatorian, Whitehaven High School. by *Dixon.

Senate Joint Resolution No. 265 -- Memorials, Academic Achievement - Ashley M. Doyle, Salutatorian, Hamilton High School. by *Dixon.

Senate Joint Resolution No. 266 -- Memorials, Academic Achievement - Sheena R. Smith, Valedictorian, Hamilton High School. by *Dixon.

Senate Joint Resolution No. 268 -- Memorials, Personal Achievement - Emmet P. Vaughn, Jr. and Linda Vaughn, Volunteers of America Award for outstanding service to Knoxville community. by *McNally.

Senate Joint Resolution No. 269 -- Memorials, Recognition - Nashville Rescue Mission. by *Harper, *Haynes.

Senate Joint Resolution No. 270 -- Memorials, Interns - Tony Carey. by *Haynes.

Senate Joint Resolution No. 272 -- Memorials, Recognition - Boy Scout Troop 101 of Kingston, 60th Anniversary. by *Davis L.

Senate Joint Resolution No. 273 -- Memorials, Academic Achievement - Michael H. King, Valedictorian, Sevierville High School. by *Clabough.

Senate Joint Resolution No. 274 -- Memorials, Academic Achievement - Clayton Rohman, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 275 -- Memorials, Academic Achievement - Jonathan Koerten, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 276 -- Memorials, Academic Achievement - Lora J. Price, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 277 -- Memorials, Academic Achievement - Crystal Hurst, Salutatorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 278 -- Memorials, Interns - Benjamin Douglas Groce. by *Trail.

Senate Joint Resolution No. 279 -- Memorials, Recognition - David Youree Elementary School, "Parents as Partners". by *Trail.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Bone was recognized in the Well to introduce Denis McGlynn and other members of Dover Downs Entertainment, for remarks.

RULES SUSPENDED

Rep. Bone moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 160 out of order, which motion prevailed.

Senate Joint Resolution No. 160 -- Memorials, Recognition - Dover Downs Entertainment, Inc. by *Rochelle, *Trail.

On motion of Rep. Bone, the resolution was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 389** -- Highway Signs - "Great Stage Road," S.R. 126 in Blountville, Sullivan County. by *Godsey, *Mumpower, *Davis (Washington).

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 17, 2001:

House Resolution No. 89 -- Memorials, Recognition - Donna Akin Morgan, General Assembly Intern Coordinator. by *Kent.

House Resolution No. 90 -- Memorials, Academic Achievement - Aaron Stewart, Salutatorian, Lenoir City High School. by *Overbey, *Johnson.

House Resolution No. 91 -- Memorials, Academic Achievement - Joey Kimbrell, Salutatorian, Greenback High School. by *Johnson, *Overbey.

House Resolution No. 92 -- Memorials, Academic Achievement - Casey Poe, Salutatorian, Greenback High School. by *Johnson, *Overbey.

House Resolution No. 93 -- Memorials, Academic Achievement - Tiffany Dunn, Valedictorian, Lenoir City High School. by *Overbey, *Johnson.

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House Resolution No. 94 -- Memorials, Academic Achievement - Justin Hudgens, Valedictorian, Greenback High School. by *Johnson, *Overbey.

House Resolution No. 95 -- Memorials, Academic Achievement - Ivy Griffin, Salutatorian, Sweetwater High School. by *Johnson.

House Resolution No. 96 -- Memorials, Academic Achievement - Darrell Allen Benton, Valedictorian, Sequoyah High School. by *Johnson.

House Resolution No. 97 -- Memorials, Academic Achievement - Mary Cavender Witt, Salutatorian, Sequoyah High School. by *Johnson.

House Resolution No. 98 -- Memorials, Academic Achievement - Emily Cleveland, Valedictorian, Sweetwater High School. by *Johnson.

House Resolution No. 99 -- Memorials, Academic Achievement - Randall K. Thomason, Valedictorian, Loudon High School. by *Johnson.

House Resolution No. 100 -- Memorials, Academic Achievement - Urmi Kanu Patel, Salutatorian, Loudon High School. by *Johnson.

House Resolution No. 101 -- Memorials, Recognition - Memphis City Schools' Center for Safe and Drug-Free Schools, "Exemplary School Safety Project". by *Rinks, *Naifeh, *DeBerry L, *Davidson, *Hargrove.

House Resolution No. 103 -- Memorials, Recognition - Elizabethton City School System Safety First! Program, "Exemplary School Safety Project". by *Rinks, *Naifeh, *DeBerry L, *Davidson, *Hargrove.

House Resolution No. 102 -- Memorials, Congratulations - Weakley County School system's winning of Exemplary School Safety Award for Small Counties for their implementation of Safe Schools Act of 1998. by *Rinks, *Naifeh, *DeBerry L, *Davidson, *Hargrove.

House Resolution No. 104 -- Memorials, Recognition - Hamilton County Schools' Safe Schools Initiative, "Exemplary School Safety Project" for large counties. by *Rinks, *Naifeh, *DeBerry L, *Davidson, *Hargrove.

House Joint Resolution No. 388 -- Memorials, Interns - Patrick Joseph Boggs. by *Mumpower, *Godsey, *Davis (Washington).

House Joint Resolution No. 390 -- Memorials, Professional Achievement - Sandra Hughes, Award of Recognition for Outstanding Teaching. by *Wood, *Sharp.

House Joint Resolution No. 391 -- Memorials, Interns - Brandy Martin. by *Rhinehart, *Phelan, *Curtiss.

House Joint Resolution No. 392 -- Memorials, Death - Dwayne D. Maddox, Jr. of Huntingdon, former member of Tennessee General Assembly. by *Maddox.

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House Joint Resolution No. 393 -- Memorials, Personal Achievement - Lauren Elise Briggance Simpson, by *Langster, *Naifeh, *DeBerry L, *Pruitt, *Garrett, *Briley, *Phillips, *Arriola, *Jones, S., *Odom.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 17, 2001:

Senate Joint Resolution No. 253 -- Memorials, Congratulations - St. George's Day School Chess Team, by *Norris.

Senate Joint Resolution No. 254 -- Memorials, Retirement - Judy Turner, by *Trail.

Senate Joint Resolution No. 256 -- Memorials, Academic Achievement - Kenda Johnson, Salutatorian, Westwood High School, by *Dixon.

Senate Joint Resolution No. 257 -- Memorials, Academic Achievement - Keleena Weatherall, Valedictorian, Westwood High School, by *Dixon.

Senate Joint Resolution No. 258 -- Memorials, Academic Achievement - Michael V. Hibler, Valedictorian, Whitehaven High School, by *Dixon.

Senate Joint Resolution No. 259 -- Memorials, Academic Achievement - Roby Green, Valedictorian, Oakhaven High School, by *Dixon.

Senate Joint Resolution No. 260 -- Memorials, Academic Achievement - Lashandra Johnson, Salutatorian, Oakhaven High School, by *Dixon.

Senate Joint Resolution No. 261 -- Memorials, Academic Achievement - Syneca Woods, Valedictorian, Fairley High School, by *Dixon.

Senate Joint Resolution No. 262 -- Memorials, Academic Achievement - Tara Henry, Salutatorian, Fairley High School, by *Dixon.

Senate Joint Resolution No. 263 -- Memorials, Academic Achievement - Latoya R. Thomas, Salutatorian, Whitehaven High School, by *Dixon.

Senate Joint Resolution No. 265 -- Memorials, Academic Achievement - Ashley M. Doyle, Salutatorian, Hamilton High School, by *Dixon.

Senate Joint Resolution No. 266 -- Memorials, Academic Achievement - Sheena R. Smith, Valedictorian, Hamilton High School, by *Dixon.

Senate Joint Resolution No. 268 -- Memorials, Personal Achievement - Emmet P. Vaughn, Jr. and Linda Vaughn, Volunteers of America Award for outstanding service to Knoxville community, by *McNally.

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Senate Joint Resolution No. 269 -- Memorials, Recognition - Nashville Rescue Mission, by *Harper, *Haynes.

Senate Joint Resolution No. 270 -- Memorials, Interns - Tony Carey, by *Haynes.

Senate Joint Resolution No. 272 -- Memorials, Recognition - Boy Scout Troop 101 of Kingston, 60th Anniversary, by *Davis L.

Senate Joint Resolution No. 273 -- Memorials, Academic Achievement - Michael H. King, Valedictorian, Sevierville High School, by *Clabough.

Senate Joint Resolution No. 274 -- Memorials, Academic Achievement - Clayton Rohman, Valedictorian, Sevier County High School, by *Clabough.

Senate Joint Resolution No. 275 -- Memorials, Academic Achievement - Jonathan Koerten, Valedictorian, Sevier County High School, by *Clabough.

Senate Joint Resolution No. 276 -- Memorials, Academic Achievement - Lora J. Price, Valedictorian, Sevier County High School, by *Clabough.

Senate Joint Resolution No. 277 -- Memorials, Academic Achievement - Crystal Hurst, Salutatorian, Sevier County High School, by *Clabough.

Senate Joint Resolution No. 278 -- Memorials, Interns - Benjamin Douglas Groce, by *Trail.

Senate Joint Resolution No. 279 -- Memorials, Recognition - David Youree Elementary School, "Parents as Partners", by *Trail.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2013, was/were referred to the Delayed Bills Committee.

***House Bill No. 2013** -- Housing - Revises number of commissioners on housing authorities in Bradley County from five to seven. Amends TCA Section 13-20-408, by *Bunch.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 285** -- Private Protective Services - Prohibits person performing security guard or patrol service functions from representing either orally or in writing that such guard is active law enforcement officer or member of law enforcement agency. Amends TCA Title 62, Chapter 35, by *Davis L. (HB1438 by *Winningham)

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Senate Bill No. 1645 -- Criminal Offenses - Increases penalty for offense of law enforcement or corrections official engaging in sexual contact with prisoner or inmate from Class A misdemeanor to Class E felony. Amends TCA Title 39, Chapter 16, Part 4 and Title 41, Chapter 21, Part 2. by *Williams, *Clabough. (*HB1368 by *Boyer, *Ford S)

***Senate Bill No. 1743** -- Education - Authorizes LEAs to enter into contracts with non-profit organizations for courses for which no state board approved teaching endorsements exist. Amends TCA Title 49, Chapter 6, Part 12. by *Jackson. (HB1672 by *Shepard)

***Senate Bill No. 1762** -- Nurses, Nursing - Authorizes board of nursing to enter into agreements to evaluate demand, distribution, and availability of nurses in Tennessee. Amends TCA Title 63, Chapter 7. by *Kurita. (HB1795 by *Odom)

Senate Bill No. 1897 -- General Assembly - Revises duties and removes obsolete references in law establishing legislative offices. Amends TCA Section 2-3-102; Section 3-1-103; Title 3; Section 4-15-102; Section 49-9-401 and Section 49-50-603. by *Cooper J. (*HB1650 by *Davidson)

Senate Bill No. 1957 -- Naming and Designating - Names Administration Building at new Tennessee Fire Service and Codes Enforcement Academy in Bedford County in honor of former Shelbyville Fire Chief Garland King. by *Trail. (*HB1964 by *Phillips)

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 15, 2001**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 16, 2001**: House Bill(s) No(s). 775, 774, 1733, 1932 and 1931.

The Committee also set the following bill(s) on the **Regular Calendar** for **May 17, 2001**: House Bill(s) No(s). 917, 847, 244, 1776, 524, 1395, 573, 572, 1411, 1735, 1356, 981, House Joint Resolution(s) No(s). 196, House Bill(s) No(s). 1568, 1567, 1155, 542, 227 and House Joint Resolution(s) No(s). 158.

The Committee further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 16, 2001**: House Bill(s) No(s). 1672, 1278, 1531, 1749, 716, 1229, 1615, 1614, House Joint Resolution(s) No(s). 298, House Bill(s) No(s). 289, 1363 and 1203.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1679, 782, 1914, 1765, 743, 1366, 1559, 1390, 583, 1339, 1385, 1383, 1459, 1287, 110 House Joint Resolution(s) No(s). 144, also House Bill(s) No(s). 466, 1170, 1598, 1838 and 652 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 957, 975, 280, also House Bill(s) No(s). 1618 and 925 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CAPTION BILLS REFERRED

May 15, 2001

Pursuant to **Rule No. 47**, the following Caption Bill(s), 75 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 75** -- Corporations, For Profit – House Finance, Ways and Means Committee

CONSENT CALENDAR

House Resolution No. 84 -- Memorials, Interns - Mark Andrew Bush. by *Kent, *Scroggs.

House Resolution No. 86 -- Memorials, Recognition - Overseer Alice C. Catron. by *Jones U (Shelby).

House Resolution No. 87 -- Memorials, Recognition - Bishop Donald H. Jennings, Jr. by *Jones U (Shelby).

House Resolution No. 88 -- Memorials, Recognition - Dean Relando Greene Lee. by *Jones U (Shelby).

House Joint Resolution No. 373 -- Memorials, Interns - Bairthina Denise Wilson. by *Bowers.

House Joint Resolution No. 374 -- Memorials, Academic Achievement - Andrea Lynn Crouse, Salutatorian, Gateway Christian School. by *Kisber.

House Joint Resolution No. 376 -- Memorials, Retirement - Susan Burns Greer. by *Rhinehart.

House Joint Resolution No. 377 -- Memorials, Recognition - William A. "Toopie" Cammuse. by *Bone.

House Joint Resolution No. 379 -- Memorials, Sports - John Hudson of Paris, NFL lineman. by *Ridgeway.

House Joint Resolution No. 380 -- Memorials, Interns - Kimaley F. Clark. by *Odom.

House Joint Resolution No. 381 -- Memorials, Interns - Mandy Eoff. by *DeBerry L.

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House Joint Resolution No. 382 -- Memorials, Congratulations - Town of Cornersville on opening of new McDonald's. by *Fowlkes, *Beavers.

House Joint Resolution No. 383 -- Memorials, Academic Achievement - Scott Feather, Salutatorian, Maryville High School. by *Overbey, *McCord.

House Joint Resolution No. 384 -- Memorials, Academic Achievement - Julie Ferguson, Valedictorian, Maryville High School. by *Overbey, *McCord.

House Joint Resolution No. 385 -- Memorials, Academic Achievement - Adam Mobe, Salutatorian, Heritage High School. by *McCord, *Overbey.

House Joint Resolution No. 386 -- Memorials, Academic Achievement - David Douglas Redwine, Valedictorian, Alcoa High School. by *McCord, *Overbey.

House Joint Resolution No. 387 -- Memorials, Academic Achievement - Shannon Wroblewski, Valedictorian, Heritage High School. by *McCord, *Overbey.

Senate Joint Resolution No. 249 -- Memorials, Professional Achievement - Michael L. Bowman, Dyersburg High School Teacher of the Year. by *Herron.

Senate Joint Resolution No. 250 -- Memorials, Interns - April Harriman. by *Wilder, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Williams.

Senate Joint Resolution No. 252 -- Memorials, Recognition - Gus's World Famous Fried Chicken and Bonner Family. by *Wilder, *Cohen.

Senate Joint Resolution No. 310 -- Memorials, Personal Achievement - Tina Wesson, Survivor of Australian Outback. by *Atchley, *Burchett, *Atchley, *Burks, *Blackburn, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

House Bill No. 1203 -- Bail, Bail Bonds - Expands power of bail bondsman or surety to arrest defendant on certified copy of undertaking outside state. Amends TCA Title 40, Chapter 11. by *Buck. (*SB385 by *Davis L)

***House Bill No. 1363** -- Professions and Occupations - Makes printing of annual rosters of design professionals, general contractors, and land surveyors optional. Amends TCA Section 62-2-207, 62-6-110, and 62-18-108. by *Johnson, *Boyer. (SB1640 by *Burchett, *Clabough)

On motion, House Bill No. 1363 was made to conform with **Senate Bill No. 1640**; the Senate Bill was substituted for the House Bill.

House Bill No. 289 -- Municipal Government - Authorizes special assessments for flood control. Amends TCA Title 7, Chapter 32. by *Sharp. (*SB176 by *Fowler)

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***House Joint Resolution No. 298** -- General Assembly, Statement of Intent or Position - Supports Women's Health Program of Women In Government. by *DeBerry L.

House Bill No. 1614 -- Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Kernell, *Brooks, *Cooper B. (*SB40 by *Harper)

House Bill No. 1615 -- Sunset Laws - Judicial evaluation commission, June 30, 2007; limits commission members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Kernell, *Brooks, *Cooper B. (*SB38 by *Harper)

On motion, House Bill No. 1615 was made to conform with **Senate Bill No. 38**; the Senate Bill was substituted for the House Bill.

House Bill No. 1229 -- Sexual Offenses - Conforms language of expungement provisions, within sexual offender registration and monitoring law, to language of amendments enacted during 2000 regular session. Amends TCA Section 40-39-109. by *Turner (Hamilton). (*SB1561 by *Crowe)

***House Bill No. 716** -- Education - Provides for detailed report on reading programs in Tennessee by state board of education, state department of education, and THEC. Amends TCA Title 49, Chapter 1, Part 9. by *Turner (Hamilton). (SB1173 by *Crutchfield)

On motion, House Bill No. 716 was made to conform with **Senate Bill No. 1173**; the Senate Bill was substituted for the House Bill.

House Bill No. 1749 -- Firearms and Ammunition - Requires TBI to deny attempted purchase of firearm if purchaser is charged with offense that, if convicted, would prohibit person from purchasing firearm and provides procedure whereby TBI is required to reverse such denial. Amends TCA Title 39, Chapter 17, Part 13. by *Turner (Hamilton). (*SB1728 by *Crowe)

House Bill No. 1531 -- Bonds and Undertakings, Regulation of - Revises various provisions concerning issuance of public bonds and notes. Amends TCA Title 4, Chapter 31; Title 7, Chapter 34; Title 7, Chapter 82; Title 9, Chapter 21; Title 12, Chapter 10; Title 13, Chapter 23; and Title 49, Chapter 3. by *Kisber. (*SB1328 by *Henry)

House Bill No. 1278 -- Insurance, Health, Accident - Provides for health insurance coverage for non-professional local education employees. Amends TCA Title 8, Chapter 27, Part 3. by *Kisber, *Cooper B. (*SB344 by *Cooper J)

House Bill No. 1672 -- Education - Authorizes LEAs to enter into contracts with non-profit organizations for courses for which no state board approved teaching endorsements exist. Amends TCA Title 49, Chapter 6, Part 12. by *Shepard. (*SB1743 by *Jackson)

Rep. Odom moved that all members voting aye on House Joint Resolution No. 380 be added as sponsors, which motion prevailed.

Rep. L. DeBerry moved that all members voting aye on House Joint Resolution No. 298 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1614: by Rep. Kernell

House Bill No. 1749: by Rep. Boyer

House Bill No. 1531: by Rep. Brooks

House Bill No. 1672: by Rep. Boyer and Brooks

Under the rules, House Bill(s) No(s). 1614, 1749, 1531 and 1672 was/were placed at the foot of the calendar for May 17, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 729 -- Motor Vehicles, Titling and Registration - Exempts "restored display vehicle" from titling and registration provisions. Amends TCA Title 55, Chapters 1 through 6. by *Clem. (*SB842 by *Williams)

Further consideration of House Bill No. 729 previously considered on May 9, 2001, at which time it was reset for today's Calendar.

Rep. Clem moved that **House Bill No. 729** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes92
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Wood – 92.

A motion to reconsider was tabled.

House Bill No. 526 -- Child Custody and Support - Permits any grandparent to petition for visitation; court must determine danger of substantial harm to child and, if such danger is present, determine whether such visitation is in best interests of child. Amends TCA Title 36, Chapter 6, Part 3. by *Chumney, *Patton, *Garrett, *Boyer. (*SB397 by *Haynes)

Further consideration of House Bill No. 526 previously considered on May 7, 2001 and May 9, 2001, at which time it was reset for today's Calendar.

Rep. Chumney moved that House Bill No. 526 be reset for the Regular Calendar on May 23, 2001, which motion prevailed.

House Bill No. 1652 -- General Assembly - Authorizes each house by rule to permit, limit, or control use of audio/video materials produced by or under direction of general assembly; creates cause of action or injunction for unauthorized use; requires media, candidates, and political parties be notified of unauthorized use. Amends TCA Title 2, Chapter 19, Part 1 and Title 3, Chapter 1, Part 1. by *Davidson. (*SB1237 by *Cooper J)

Further consideration of House Bill No. 1652 previously considered on May 7, 2001 and May 10, 2001, at which time it was reset for today's Calendar.

Rep. Davidson moved that House Bill No. 1652 be held on the Clerk's desk, which motion prevailed.

House Bill No. 1891 -- Tennessee Emergency Management Agency (TEMA) - Permits political subdivisions to enter into certain agreements among themselves relative to losses and liabilities in emergency situations. Amends TCA Title 58, Chapter 2. by *Head. (*SB1841 by *McNally)

On motion, House Bill No. 1891 was moved to the heel of the Calendar.

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***House Bill No. 1921** -- Education - Increases from 25 to 100 number of teachers reimbursed for national certification fees; awards nationally certified teachers \$2,500 per year; specifies state, local, and federal funds to be used for preschool program purposes; establishes Teaching Scholars Award of Excellence Program. - TCA Title 49. by *Whitson, *Winningham, *McDaniel, *Head, *Newton, *McKee, *Davis (Cocke), *Towns, *Cooper B. (SB1881 by *Rochelle, *Atchley, *Cooper J, *Clabough, *Williams, *Dixon, *Miller J, *Ramsey)

Rep. Whitson requested that House Bill No. 1921 be moved to the heel of the Calendar.

House Bill No. 1678 -- Gambling - Redefines criminal offense of gambling to clarify that any form of casino gambling is prohibited; clarifies that lotteries do not include electronic or electromechanical forms of casino gambling. Amends TCA Title 39, Chapter 17, Part 5. by *Maddox, *McDaniel, *Fitzhugh, *Boyer, *Ridgeway, *Shepard, *Pinion, *Roach, *McKee, *Briley. (*SB1717 by *McNally, *Herron)

Further consideration of House Bill No. 1678 previously considered on April 23, 2001 and May 10, 2001, at which time the House placed Amendment(s) No(s). 4 at the heel of the Amendments and reset the bill for today's Calendar. The bill was also considered on May 3, 2001, at which time the House adopted Amendment(s) No(s). 1 and withdrew Amendment(s) No(s). 2 and 3.

Rep. Briley moved that House Bill No. 1678 be reset for the Regular Calendar on May 24, 2001, which motion prevailed.

***House Bill No. 1624** -- Aged Persons - Revises duties of commission on aging to include services to disabled persons; increases membership of commission to include executive director of Tennessee Developmental Council. Amends TCA Title 71, Chapter 2. by *Kernell, *Cooper B, *Pruitt, *Patton, *Odom, *Davis (Washington), *Montgomery, *Bowers, *Arriola. (SB1789 by *Harper, *Trail, *Burchett, *Burks)

Further consideration of House Bill No. 1624 previously considered on May 14, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Kernell requested that House Bill No. 1624 be moved to the heel of the Calendar.

House Bill No. 1255 -- Fiscal Review Committee - Requires staff of fiscal review committee to prepare statement for each general bill that mandates coverage of health insurance benefits; statement to include cost impact to individual policy holder or enrollee in managed health care plan and insurer, stating reasons if no estimate can be given. Amends TCA Title 3, Chapter 2, Part 1. by *Head, *Newton. (*SB987 by *Kurita)

Further consideration of House Bill No. 1255 previously considered on May 14, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion House Bill No. 1255 was moved to the heel of the Calendar.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

House Bill No. 876 -- Industrial Development - Requires industrial development corporations to attach cost and benefit analysis to payment in lieu of taxes agreement and limits such waiver of such payments to 20-years duration. Amends TCA Title 5; Title 6 and Section 7-53-305. by *Kisber. (*SB459 by *Rochelle)

Further consideration of House Bill No. 876 previously considered on May 14, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 876 was made to conform with **Senate Bill No. 459**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 459 be passed on third and final consideration.

Rep. Kisber moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 459 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Nothing in this act shall apply to any agreement finalized prior to January 1, 2002.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved that **Senate Bill No. 459**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	9
Present and not voting	4

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Arriola, Bowers, Brooks, Kernell, Lewis, Phillips, Rhinehart, Towns, Turner (Davidson) -- 9.

Representatives present and not voting were: Cooper, DeBerry J, Turner (Hamilton), Turner (Shelby) -- 4.

A motion to reconsider was tabled.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

House Bill No. 1597 -- Tennessee Wildlife Resources Agency - Clarifies and expands various citation and enforcement powers of agency relative to boating; defines court jurisdiction and procedures relative to boating and deals with vessel numbering in Tennessee. by *Bittle, *Garrett, *Sargent, *Montgomery, *McCord, *Ridgeway. (*SB1020 by *Ramsey)

Further consideration of House Bill No. 1597 previously considered on May 14, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 1597 was made to conform with **Senate Bill No. 1020**; the Senate Bill was substituted for the House Bill.

Rep. Bittle moved that **Senate Bill No. 1020** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 875 -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56. by *Kisber, *Jones, S.. (*SB333 by *Clabough)

Further consideration of House Bill No. 875 previously considered on May 10, 2001 and May 14, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 875 was moved to the heel of the Calendar.

House Bill No. 1889 -- State Employees - Prohibits state departments, agencies, and employees from distributing social security numbers unless authorized by state or federal law; prohibits department of health from releasing information pertaining to person's health unless required by state or federal law. Amends TCA Title 4 and Title 68. by *Towns. (*SB971 by *Ford J)

Further consideration of House Bill No. 1889 previously considered on May 14, 2001, at which time it was reset for today's Calendar.

Rep. Towns moved that House Bill No. 1889 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1889 By deleting the amendatory language of Section 2 of the printed bill in its entirety and by substituting instead the following:

68-1-1____. The department of health or any employee thereof shall not release information that is not specifically authorized by state or federal law to any insurance company, agency, company or firm, pertaining to the health of any person without the patient's consent, or if a minor, the consent of the minor's parent, guardian or legal custodian, or pursuant to an appropriate court order.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Towns moved that **House Bill No. 1889**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1885 -- Hazardous Materials - Broadens unsafe material subject to certain parking restrictions on unsafe material; increases fine; requires suspension of driver license. Amends TCA Title 55. by *Towns. (*SB965 by *Ford J)

Further consideration of House Bill No. 1885 previously considered on May 14, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1885 was made to conform with **Senate Bill No. 965**; the Senate Bill was substituted for the House Bill.

Rep. Towns moved that Senate Bill No. 965 be passed on third and final consideration.

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Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 965 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 55-8-162, is further amended by adding the following as new, appropriately designated subsections:

(c) The provisions of subsection (b) shall not apply to any utility.

(d) As used in subsection (c), the word "utility" means any person, municipality, county, metropolitan government, electric cooperative, telephone cooperative, board, commission, district or any entity created or authorized by public act, private act, or general law to provide electricity, natural gas, water, waste water services, telephone service, or any combination thereof, for sale to consumers in any particular service area.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 965 by adding the following language as an appropriately designated subdivision to subsection (b)(2) of Section 1:

() Suspension of the driver's commercial driver license pursuant to subdivision (2)(B) shall not alter the driver's eligibility to maintain a Class D driver's license.

On motion, Conservation and Environment Committee Amendment No. 2 was adopted.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 965 by adding the following language as an appropriately designated subsection to Section 1:

() The provisions of this section shall only apply to persons operating any truck, tractor-trailer or tractor-semi-trailer combination and transporting materials found to be hazardous under the Hazardous Materials Transportation Act, which requires the motor vehicle to be placarded.

On motion, Conservation and Environment Committee Amendment No. 3 was adopted.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. Towns moved that **Senate Bill No. 965**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1931 -- Highway Signs - "Charlie and Laura Edenton Memorial Bridge," S.R. 196 over Short Creek in Fayette County. by *Fitzhugh, *Naifeh. (*SB1906 by *Wilder)

On motion, House Bill No. 1931 was made to conform with **Senate Bill No. 1906**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 1906 be passed on third and final consideration.

Rep. Fowlkes moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1906 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if Fayette County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). Fayette County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to Fayette County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Fayette County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Fayette County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved that **Senate Bill No. 1906**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1932 -- Highway Signs - "Historic LaGrange," Exit 35 on I-40 in Fayette County. by *Fitzhugh, *Naifeh. (*SB1905 by *Wilder, *Williams)

On motion, House Bill No. 1932 was made to conform with **Senate Bill No. 1905**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 1905 be passed on third and final consideration.

Rep. Fowlkes moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1905 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if LaGrange, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). LaGrange shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to LaGrange within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, LaGrange shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) LaGrange may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved that **Senate Bill No. 1905**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1933 -- Highway Signs - "National Bird Dog Museum and Field Trial Hall of Fame," I-40, Fayette County. by *Fitzhugh, *Naifeh. (*SB1338 by *Wilder, *Trail, *Herron)

On motion, House Bill No. 1933 was made to conform with **Senate Bill No. 1338**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 1338 be passed on third and final consideration.

Rep. Fowlkes moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1338 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if Hardeman County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). Hardeman County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to Hardeman County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Hardeman County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Hardeman County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved that **Senate Bill No. 1338**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 774 -- Transportation, Dept. of - Enacts "Transportation Information Planning Act of 2001." Amends TCA Title 4, Chapter 3 and Title 54. by *Briley. (*SB852 by *Norris, *Blackburn)

On motion, House Bill No. 774 was made to conform with **Senate Bill No. 852**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that Senate Bill No. 852 be passed on third and final consideration.

On motion, Rep. Fowlkes withdrew Transportation Committee Amendment No. 1.

Rep. Briley moved that **Senate Bill No. 852** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 775** -- Transportation, Dept. of - Creates "Transportation Reporting Act of 2001." Amends TCA Title 54, Chapter 1. by *Briley. (SB1103 by *Haynes)

On motion, House Bill No. 775 was made to conform with **Senate Bill No. 1103**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that Senate Bill No. 1103 be passed on third and final consideration.

On motion, Rep. Fowlkes withdrew Transportation Committee Amendment No. 1.

Rep. Briley moved that **Senate Bill No. 1103** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 1891 -- Tennessee Emergency Management Agency (TEMA) - Permits political subdivisions to enter into certain agreements among themselves relative to losses and liabilities in emergency situations. Amends TCA Title 58, Chapter 2. by *Head. (*SB1841 by *McNally)

Further consideration of House Bill No. 1891 previously considered on today's Calendar.

On motion, House Bill No. 1891 was made to conform with **Senate Bill No. 1841**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1841 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Head moved that **Senate Bill No. 1841** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

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Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Bultry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1921** -- Education - Increases from 25 to 100 number of teachers reimbursed for national certification fees; awards nationally certified teachers \$2,500 per year; specifies state, local, and federal funds to be used for preschool program purposes; establishes Teaching Scholars Award of Excellence Program. - TCA Title 49. by *Whitson, *Winningham, *McDaniel, *Head, *Newton, *McKee, *Davis (Cocke), *Towns, *Cooper B. (SB1881 by *Rochelle, *Atchley, *Cooper J, *Clabough, *Williams, *Dixon, *Miller J, *Ramsey)

Further consideration of House Bill No. 1921 previously considered on today's Calendar.

Rep. Whitson moved to substitute and conform with Senate Bill No. 1881.

Rep. Towns objected to the motion to substitute and conform with Senate Bill No. 1881, which motion failed by the following vote:

Ayes	58
Noes	19
Present and not voting	6

Representatives voting aye were: Armstrong, Bone, Bowers, Boyer, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Montgomery, Newton, Odom, Overbey, Phelan, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Sands, Scroggs, Shepard, Tidwell, Tindell, Turner (Hamilton), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Baird, Beavers, Black, Brown, Bunch, Clem, Dunn, Goins, Hagood, Hargett, Harwell, Miller, Rowland, Sargent, Sharp, Shaw, Stanley, Towns, Turner (Shelby) -- 19.

Representatives present and not voting were: Davis (Washington), McDonald, Patton, Pinion, Todd, Vincent -- 6.

On motion, House Bill No. 1921 was made to conform with **Senate Bill No. 1881**; the Senate Bill was substituted for the House Bill.

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Rep. Whitson moved that Senate Bill No. 1881 be passed on third and final consideration.

Rep. Odom moved to re-refer Senate Bill No. 1881 to the House Education Committee.

Rep. Whitson moved to table the motion to re-refer Senate Bill No. 1881 to the House Education Committee, which motion prevailed by the following vote:

Ayes	47
Noes	44
Present and not voting	2

Representatives voting aye were: Armstrong, Bone, Boyer, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Ford, Givens, Head, Hood, Johnson, Jones U, Kent, Kisber, Langster, Lewis, McCord, McDaniel, McKee, Miller, Montgomery, Newton, Overbey, Phelan, Pleasant, Rhinehart, Rinks, Roach, Sands, Scroggs, Shaw, Tindell, Turner (Hamilton), Turner (Davidson), Walker, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 47.

Representatives voting no were: Arriola, Baird, Beavers, Black, Briley, Brooks, Brown, Buck, Bunch, Chumney, Clem, Cooper, Davis (Washington), Dunn, Fitzhugh, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Jones S, Maddox, McDonald, McMillan, Mumpower, Odom, Patton, Phillips, Pinion, Pruitt, Rowland, Sargent, Sharp, Shepard, Stanley, Tidwell, Todd, Turner (Shelby), Vincent, West, White, Wood -- 44.

Representatives present and not voting were: Bowers, Fraley -- 2.

Rep. Brown moved to invoke **Rule(s) No(s). 68, 69 and 70**, in relation to forming a Committee of the Whole, on Senate Bill No. 1881.

Rep. Davis (Cocke) moved to table the motion to invoke Rule(s) No(s). 68, 69 and 70 on Senate Bill No. 1881, which motion prevailed by the following vote:

Ayes	63
Noes	26
Present and not voting	3

Representatives voting aye were: Armstrong, Bone, Boyer, Briley, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Hargrove, Harwell, Head, Hood, Johnson, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Phelan, Pinion, Pleasant, Rhinehart, Rinks, Roach, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, West, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Arriola, Baird, Beavers, Black, Bowers, Brooks, Brown, Bunch, Clem, Cooper, Dunn, Godsey, Goins, Hagood, Hargett, Jones S, Jones U, McDonald, Odom, Rowland, Sharp, Stanley, Turner (Shelby), Turner (Davidson), Vincent, Wood -- 26.

Representatives present and not voting were: Davis (Washington), Fraley, Patton -- 3.

Rep. Curtiss moved the previous question, which motion failed by the following vote:

Ayes	41
Noes	50
Present and not voting	1

Representatives voting aye were: Armstrong, Bone, Buttry, Caldwell, Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L, Ferguson, Fraley, Givens, Head, Hood, Johnson, Jones U, Kisber, Langster, Lewis, McCord, McDonald, McKee, Montgomery, Newton, Overbey, Phelan, Pleasant, Rhinehart, Rinks, Roach, Scroggs, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 41.

Representatives voting no were: Arriola, Baird, Beavers, Black, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Chumney, Clem, Cole (Carter), Davis (Washington), DeBerry J, Dunn, Fitzhugh, Ford, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Jones S, Kent, Maddox, McDaniel, McMillan, Miller, Mumpower, Odom, Patton, Pinion, Pruitt, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Shelby), Vincent, Winningham, Wood -- 50.

Representatives present and not voting were: Kernell -- 1.

Rep. Patton moved to re-refer Senate Bill No. 1881 to the House Finance, Ways and Means Committee.

Rep. Rhinehart moved to table the motion to re-refer Senate Bill No. 1881 to the House Finance, Ways and Means Committee, which motion prevailed by the following vote:

Ayes	49
Noes	41

Representatives voting aye were: Armstrong, Bowers, Boyer, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L, Ferguson, Ford, Fraley, Givens, Head, Hood, Johnson, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, Miller, Montgomery, Newton, Overbey, Phelan, Rhinehart, Rinks, Roach, Scroggs, Shaw, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Walker, White, Whitson, Windle, Winningham, Mr. Speaker Naifeh -- 49.

Representatives voting no were: Arriola, Baird, Beavers, Black, Bone, Briley, Brooks, Buck, Bunch, Chumney, Clem, Davis (Washington), Dunn, Fitzhugh, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Jones S, McDonald, McMillan, Mumpower, Odom, Patton, Pinion, Pruitt, Rowland, Sargent, Sharp, Stanley, Tidwell, Todd, Turner (Shelby), Vincent, West, Williams, Wood -- 41.

SPECIAL ORDER

Rep. Dunn moved that Senate Bill No. 1881 be reset for the Regular Calendar on May 23, 2001.

Rep. Davis (Cocke) moved to table the motion to reset Senate Bill No. 1881 for the Regular Calendar on May 23, 2001, which motion prevailed by the following vote:

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Ayes52
Noes37
Present and not voting1

Representatives voting aye were: Armstrong, Bone, Bowers, Boyer, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fraley, Givens, Head, Hood, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, Miller, Newton, Overbey, Phelan, Rhinehart, Rinks, Roach, Sands, Scroggs, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 52.

Representatives voting no were: Baird, Beavers, Black, Briley, Brooks, Brown, Buck, Bunch, Chumney, Clem, Davis (Washington), Dunn, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Johnson, Jones S, McDonald, McMillan, Montgomery, Mumpower, Odom, Patton, Pleasant, Rowland, Sargent, Sharp, Shaw, Stanley, Tidwell, Todd, Turner (Shelby), Vincent, Wood -- 37.

Representatives present and not voting were: Pruitt -- 1.

Rep. Chumney moved to take up the House Amendments to Senate Bill No. 1881, which motion prevailed by the following vote:

Ayes63
Noes24
Present and not voting1

Representatives voting aye were: Armstrong, Bone, Briley, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hargrove, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McKee, McMillan, Miller, Montgomery, Newton, Overbey, Patton, Phelan, Pleasant, Rhinehart, Rinks, Roach, Sands, Scroggs, Shaw, Shepard, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Baird, Beavers, Black, Boyer, Brooks, Brown, Bunch, Clem, Davis (Washington), Dunn, Ford, Godsey, Goins, Hagood, Hargett, Harwell, McDaniel, Mumpower, Odom, Rowland, Sargent, Sharp, Stanley, Turner (Shelby) -- 24.

Representatives present and not voting were: McDonald -- 1.

On motion, Rep. Winningham withdrew Education Committee Amendment No. 1.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 3.

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On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 3 as House Amendment No. 4.

Rep. Kisber moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 1881 by adding the following new section to be appropriately designated:

SECTION ____.

(a) The joint education oversight committee shall gather and identify through public hearing and testimony from the citizens of Tennessee the concerns, needs and adequacy of education in Tennessee, including but not limited to, the reading skills being taught within the public schools of Tennessee and the status and needs of early childhood education in Tennessee.

(b) The committee is urged to hold public hearings in each of the grand divisions of Tennessee and to invite all members of the education community and all persons interested in public education to give testimony and input.

(c) The committee shall receive staff support and assistance from the house research division, the office of legal services, the office of legislative budget analysis, the comptroller's office of education accountability, the state board of education, the department of education, the Tennessee higher education commission and any other state agency so requested by the chair.

(d) The committee shall complete its study and file its final report, including any recommendations for necessary legislative action, by January 1, 2002. Such report shall be filed with the chief clerk of each house, the speaker of the house of representatives, the speaker of the senate, the chair of the education committee of the house of representatives and the chair of the education committee of the senate.

On motion, Amendment No. 5 was adopted.

Rep. Kisber moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND Senate Bill No. 1881 by adding the following new section, to be appropriately designated:

SECTION ____. By February 1, 2002, the comptroller of the treasury shall conduct an evaluation of family resource centers including, but not limited to, staffing, funding, location, programming, and effectiveness in accomplishing their intended purposes.

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On motion, Amendment No. 6 was adopted.

Rep. Fitzhugh moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 1881 by adding the following new subsection to the amendatory Section 49-1-909 in Section 1 as amended by House Education Committee Amendment No. 1 (HA0375):

(e) Notwithstanding the provisions of subsections (a) – (d) of this section, any local education agency may, at its option, in lieu of implementing the program provided in subsections (a) – (d) of this section, receive grants in an equivalent amount pursuant to the safe schools program provided in Section 49-1-214.

Rep. Whitson moved that Amendment No. 7 be tabled, which motion failed by the following vote:

Ayes31
Noes55

Representatives voting aye were: Armstrong, Bowers, Boyer, Brown, Buttry, Caldwell, Cole (Carter), Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ford, Fraley, Givens, Head, Kent, Kernell, Kisber, Lewis, McCord, McDaniel, McKee, Montgomery, Pleasant, Rhinehart, Roach, Scroggs, Turner (Davidson), Whitson, Windle, Mr. Speaker Naifeh -- 31.

Representatives voting no were: Baird, Beavers, Black, Bone, Briley, Brooks, Buck, Bunch, Chumney, Clem, Cole (Dyer), Curtiss, Davis (Washington), Dunn, Ferguson, Fitzhugh, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Hood, Johnson, Jones S, Maddox, McDonald, McMillan, Miller, Mumpower, Odom, Overbey, Patton, Phelan, Pinion, Rinks, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Vincent, West, White, Williams, Winningham, Wood -- 55.

Rep. Fitzhugh moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved to take up Amendment No. 15 out of order, which motion prevailed.

Rep. Fitzhugh moved adoption of Amendment No. 15 as follows:

Amendment No. 15

AMEND Senate Bill No. 1881 by amending Section 3, as amended, in subsection (d) by redesignating subdivision (d)(6) to be subdivision (d)(6)(A) and by adding a new subdivision (d)(6)(B) as follows:

Any local education agency may also, at its option, in lieu of implementing the program provided for in this subsection, receive grants in an equivalent amount pursuant to the safe schools program provided in Section 49-1-214.

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Rep. Winningham moved the previous question on Amendment No. 15, which motion prevailed by the following vote:

Ayes	68
Noes	17
Present and not voting	2

Representatives voting aye were: Armstrong, Baird, Beavers, Black, Bone, Bowers, Buck, Bunch, Buttry, Clem, Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Hood, Johnson, Jones S, Jones U, Kisber, Lewis, Maddox, McDonald, McKee, McMillan, Mumpower, Odom, Overbey, Phelan, Pinion, Pruitt, Rinks, Roach, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Vincent, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Boyer, Brooks, Brown, Caldwell, Churnney, Cole (Carter), Ford, Kent, McCord, McDaniel, Miller, Montgomery, Pleasant, Rhinehart, Scroggs, Towns, Turner (Davidson) -- 17.

Representatives present and not voting were: Kernell, Patton -- 2.

Rep. Fitzhugh moved adoption of Amendment No. 15, which motion prevailed by the following vote:

Ayes	60
Noes	28

Representatives voting aye were: Baird, Beavers, Black, Bone, Buck, Bunch, Buttry, Churnney, Clem, Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Fowlkes, Garrett, Godsey, Goins, Hagood, Hargett, Harwell, Hood, Jones S, Langster, Maddox, McCord, McDonald, McMillan, Miller, Mumpower, Odom, Patton, Phelan, Pinion, Pruitt, Rinks, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Vincent, West, White, Williams, Windle, Winningham, Wood -- 60.

Representatives voting no were: Armstrong, Bowers, Boyer, Brooks, Brown, Caldwell, Cole (Carter), Davis (Cocke), Ford, Fraley, Givens, Head, Johnson, Kent, Kisber, Lewis, McDaniel, Montgomery, Newton, Overbey, Pleasant, Rhinehart, Roach, Scroggs, Turner (Hamilton), Turner (Davidson), Walker, Whitson -- 28.

A motion to reconsider was tabled.

Rep. Maddox moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND Senate Bill No. 1881 by deleting Section 9 of the bill, as amended by the House Education Committee, relative to alternative certification programs for teachers.

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Rep. Whitson moved that Amendment No. 8 be tabled, which motion failed by the following vote:

Ayes43
Noes49

Representatives voting aye were: Armstrong, Baird, Bone, Bowers, Boyer, Brooks, Brown, Buttry, Cole (Carter), Cooper, Davis (Washington), Davis (Cocke), DeBerry L, Ford, Fraley, Givens, Godsey, Head, Johnson, Kent, Kisber, Lewis, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Pleasant, Rhinehart, Rinks, Roach, Scroggs, Tindell, Turner (Hamilton), Walker, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 43.

Representatives voting no were: Arriola, Beavers, Black, Briley, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Dyer), Curtiss, Davidson, DeBerry J, Ferguson, Fitzhugh, Fowlkes, Garrett, Goins, Hagood, Hargett, Harwell, Hood, Jones S, Jones U, Langster, Maddox, McDonald, McMillan, Miller, Odom, Phelan, Pinion, Pruitt, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Stanley, Tidwell, Todd, Towns, Turner (Shelby), Vincent, West, White, Williams, Winningham -- 49.

Rep. Bunch moved the previous question on Amendment No. 8, which motion prevailed.

Rep. Maddox moved adoption of Amendment No. 8, which motion failed by the following vote:

Ayes42
Noes48

Representatives voting aye were: Arriola, Bone, Briley, Buck, Bunch, Chumney, Cole (Dyer), Curtiss, Davidson, DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Garrett, Godsey, Hagood, Hargett, Harwell, Hood, Jones S, Jones U, Langster, Maddox, McDonald, McMillan, Odom, Pinion, Pleasant, Pruitt, Sands, Sargent, Shaw, Shepard, Stanley, Tidwell, Todd, Turner (Shelby), Vincent, West, White, Winningham -- 42.

Representatives voting no were: Armstrong, Baird, Beavers, Black, Bowers, Boyer, Brooks, Brown, Buttry, Caldwell, Clem, Cole (Carter), Cooper, Davis (Washington), Davis (Cocke), Ford, Fowlkes, Fraley, Goins, Head, Johnson, Kent, Kernell, Lewis, McCord, McDaniel, McKee, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Rhinehart, Rinks, Roach, Rowland, Scroggs, Sharp, Tindell, Turner (Hamilton), Turner (Davidson), Walker, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 48.

Rep. Maddox moved adoption of Amendment No. 9 as follows:

Amendment No. 9

AMEND Senate Bill No. 1881 by adding the following new sections to be appropriately designated:

SECTION ____ Tennessee Code Annotated, Title 49, Chapter 6, Part 10,
is amended by adding the following new section:

Section 49-6-1014.

(a) The course of instruction in all public schools enrolling seventh (7th) and eighth (8th) grade students shall include programs of intervention for each such student identified as being at risk of failing to meet the graduation requirements of Section 49-6-6001.

(b) By July 1, 2002, the state board of education shall establish by rule and policy a program of intervention in the seventh (7th) and eighth (8th) grades designed to help each student at risk of failing to meet the graduation requirements of Section 49-6-6001. Such program shall include assessment of each seventh (7th) and eighth (8th) grade student's risk of failure and notification to parents of the results of such assessment with a clear statement of the likelihood of failure and brief description of individual plans of instruction for each student identified as being at risk.

(c) Funding for this program shall come from funds appropriated for extended contracts under Section 49-5-5209 and an additional amount of up to ten million dollars (\$10,000,000) appropriated for that purpose by the general assembly.

SECTION ____ Tennessee Code Annotated, Section 49-5-5209, is amended in subdivision (b)(1)(G), by adding after the words "remediation programs", the words and punctuation ", including intervention programs designated to help students at risk of failing to meet the graduation requirements of Section 49-6-6001,".

Rep. Whitson moved that Amendment No. 9 be tabled, which motion was immediately withdrawn.

Rep. Maddox moved that Amendment No. 9 be withdrawn, which motion prevailed.

Rep. Maddox moved adoption of Amendment No. 10 as follows:

Amendment No. 10

AMEND Senate Bill No. 1881 by deleting Sections 11, 12, and 13 of the bill, as amended by the House Education Committee relative to National Board for Professional Teaching Standards fees and bonuses, and renumbering subsequent sections accordingly.

Rep. Davis (Cocke) moved that Amendment No. 10 be tabled, which motion prevailed by the following vote:

Ayes	53
Noes	40

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Representatives voting aye were: Armstrong, Bone, Bowers, Boyer, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Ford, Fowlkes, Fraley, Givens, Head, Kent, Kernell, Kisber, Langster, Lewis, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Overbey, Patton, Phelan, Pleasant, Rhinehart, Rinks, Roach, Sargent, Scroggs, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Baird, Beavers, Black, Briley, Bunch, Buttry, Chumney, Clem, Cooper, Dunn, Fitzhugh, Garrett, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Maddox, McCord, McMillan, Montgomery, Odom, Pinion, Pruitt, Rowland, Sands, Sharp, Shaw, Shepard, Stanley, Tidwell, Todd, Vincent, White, Winningham, Wood -- 40.

Rep. Maddox moved that Amendment No. 11 be withdrawn, which motion prevailed.

Rep. Brooks moved adoption of Amendment No. 12 as follows:

Amendment No. 12

AMEND Senate Bill No. 1881 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000d.

On motion, Amendment No. 12 was adopted.

Rep. Goins moved that Amendment No. 13 be withdrawn, which motion prevailed.

Rep. Pruitt moved adoption of Amendment No. 14 as follows:

Amendment No. 14

AMEND Senate Bill No. 1881 by adding the following new section to be appropriately designated:

SECTION _____. Tennessee Code Annotated, Section 49-2-118(a), is amended by deleting the language "grades one (1) and two (2)" and substituting the language "grades one (1) through six (6)."

Rep. Davis (Cocke) moved that Amendment No. 14 be tabled, which motion prevailed by the following vote:

Ayes	49
Noes	35

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Representatives voting aye were: Baird, Bone, Bowers, Boyer, Buck, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Fitzhugh, Ford, Fraley, Givens, Hargrove, Head, Hood, Johnson, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Phelan, Pleasant, Rhinehart, Rinks, Roach, Sargent, Scroggs, Stanley, Tindell, Todd, Walker, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 49.

Representatives voting no were: Armstrong, Arriola, Briley, Brooks, Brown, Chumney, Cooper, DeBerry J, DeBerry L, Dunn, Ferguson, Fowlkes, Goins, Jones S, Jones U, Kernell, Langster, Miller, Odom, Pinion, Pruitt, Rowland, Sands, Sharp, Shaw, Shepard, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, West, Windle, Wood -- 35.

Rep. Maddox moved that Amendment No. 16 be withdrawn, which motion prevailed.

Rep. Newton moved the previous question, which motion failed by the following vote:

Ayes	60
Noes	32
Present and not voting	1

Representatives voting aye were: Arriola, Bone, Bowers, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Head, Hood, Johnson, Kent, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Newton, Odom, Patton, Phelan, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Armstrong, Baird, Beavers, Black, Boyer, Bunch, Chumney, Clem, Davis (Washington), DeBerry J, Dunn, Garrett, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Jones S, Jones U, Miller, Montgomery, Mumpower, Overbey, Rowland, Sands, Sargent, Sharp, Stanley, Turner (Shelby), Vincent, Wood -- 32.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Turner (Hamilton) moved the previous question, which motion failed by the following vote:

Ayes	57
Noes	31
Present and not voting	2

Representatives voting aye were: Bone, Bowers, Buck, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Hargrove, Head, Hood, Johnson, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Newton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Scroggs, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 57.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

Representatives voting no were: Armstrong, Arriola, Baird, Beavers, Black, Boyer, Brown, Bunch, Chumney, Clem, Davis (Washington), Dunn, Ferguson, Goins, Hagood, Hargett, Harwell, Jones S, Mumpower, Odom, Overbey, Rowland, Sands, Sargent, Sharp, Shaw, Stanley, Turner (Shelby), Vincent, Winningham, Wood – 31.

Representatives present and not voting were: Kernell, Patton – 2.

After further debate, Rep. Givens moved the previous question, which motion failed by the following vote:

Ayes	56
Noes	32
Present and not voting	2

Representatives voting aye were: Armstrong, Bone, Bowers, Briley, Buck, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Head, Hood, Johnson, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Newton, Odom, Phelan, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Scroggs, Shaw, Shepard, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, White, Williams, Windle, Mr. Speaker Naifeh – 56.

Representatives voting no were: Arriola, Baird, Beavers, Black, Boyer, Brooks, Brown, Bunch, Chumney, Clem, Davis (Washington), Dunn, Goins, Hagood, Hargett, Hargrove, Harwell, Jones S, McMillan, Montgomery, Mumpower, Overbey, Rowland, Sands, Sargent, Sharp, Stanley, Todd, Turner (Shelby), Vincent, Winningham, Wood – 32.

Representatives present and not voting were: Kernell, Patton – 2.

After further debate, Rep. McKee moved the previous question, which motion failed by the following vote:

Ayes	59
Noes	33

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Boyer, Brooks, Buck, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, Miller, Newton, Phelan, Phillips, Pleasant, Rhinehart, Rinks, Roach, Scroggs, Shepard, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Mr. Speaker Naifeh – 59.

Representatives voting no were: Baird, Beavers, Black, Briley, Brown, Bunch, Chumney, Clem, Davis (Washington), Dunn, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Jones S, Maddox, McMillan, Mumpower, Odom, Overbey, Patton, Rowland, Sands, Sargent, Sharp, Stanley, Todd, Turner (Shelby), Vincent, Winningham, Wood – 33.

Rep. Hagood moved to take up the remaining House Amendments to Senate Bill No. 1881, which motion prevailed.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

Rep. Bunch moved adoption of Amendment No. 17 as follows:

Amendment No. 17

AMEND Senate Bill No. 1881 by deleting Sections 2, 3, 4, and 5 of the bill, as amended by the House Education Committee, relative to early childhood programs for at-risk children.

Rep. U. Jones moved that Amendment No. 17 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	28
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Boyer, Brooks, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McKee, McMillan, Miller, Newton, Odom, Phelan, Rhinehart, Rinks, Roach, Sands, Scroggs, Shaw, Shepard, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, White, Williams, Windle, Winningham, Mr. Speaker Naifeh – 57.

Representatives voting no were: Baird, Beavers, Black, Brown, Buck, Bunch, Buttry, Clem, Davis (Washington), Dunn, Godsey, Goins, Hagood, Hargett, Harwell, Johnson, Montgomery, Mumpower, Overbey, Pinion, Pleasant, Rowland, Sargent, Sharp, Stanley, Todd, Vincent, Wood – 28.

Representatives present and not voting were: McDonald, Patton – 2.

Rep. Kisber moved the previous question, which motion prevailed by the following vote:

Ayes	62
Noes	25
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Boyer, Buck, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Hargrove, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, Miller, Montgomery, Newton, Odom, Overbey, Phelan, Pleasant, Rhinehart, Rinks, Roach, Scroggs, Shaw, Shepard, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Davidson), Vincent, West, White, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Beavers, Black, Brooks, Bunch, Clem, Davis (Washington), Dunn, Godsey, Goins, Hagood, Hargett, Harwell, Jones S, McDonald, Mumpower, Pruitt, Rowland, Sands, Sargent, Sharp, Stanley, Todd, Turner (Shelby), Winningham, Wood -- 25.

Representatives present and not voting were: Patton -- 1.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

Rep. Davis (Cocke) moved that **Senate Bill No. 1881**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	66
Noes	18
Present and not voting	11

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Overbey, Phelan, Pleasant, Rhinehart, Rinks, Roach, Sands, Scroggs, Shaw, Shepard, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 66.

Representatives voting no were: Baird, Beavers, Black, Buck, Bunch, Clem, Dunn, Garrett, Goins, Hagood, Hargett, Hargrove, Odom, Rowland, Sharp, Stanley, Vincent, Wood -- 18.

Representatives present and not voting were: Davis (Washington), Godsey, Harwell, Jones S, Mumpower, Patton, Pinion, Pruitt, Sargent, Tidwell, Todd -- 11.

A motion to reconsider was tabled.

REMARKS

Reps. Buck, Bunch, Hagood and Pinion requested that the following remarks be spread upon the journal:

COMMUNICATION

To: Mr. Speaker and Members of the House of Representatives

Date: May 16, 2001

Re: Senate Bill No. 1881/House Bill No. 1921

Dear Mr. Speaker and Members of the House of Representatives:

We cannot in good conscience support Senate Bill No. 1881/House Bill No. 1921 at this time without alteration of state funding of Kindergarten through 12th grade. Title I funds have been provided for many years for the education of disadvantaged children. Likewise, approximately thirty million dollars of extended contract funds are spent each year from the state budget. There is no justifiable reason why these funds should not be directed toward the purpose of this act.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

This bill is the third major initiative in the last quarter century that was sold to the public on the theory that it would be a major improvement to our education system, yet test scores indicate that our school systems are not producing any better product than when we started in the 1970s. To support this bill without voting for the taxes to pay for this initiative is being hypocritical. It is foolish to duplicate Title I efforts. The goals proposed by this bill can be accomplished by better utilization of existing funds and programs with the addition of extra funds. This bill should be placed behind the budget and funded to the extent of available funds. Likewise, we need to better utilize Title I, Chapter Teachers, and the extended contract funds. This area of state and local government cry out for better management; we request these remarks be placed in the House Journal.

Frank Buck
DeWayne Bunch
Jamie Hagood
Phillip Pinion

REGULAR CALENDAR, CONTINUED

***House Bill No. 1624** -- Aged Persons - Revises duties of commission on aging to include services to disabled persons; increases membership of commission to include executive director of Tennessee Developmental Council. Amends TCA Title 71, Chapter 2. by *Kernell, *Cooper B, *Pruitt, *Patton, *Odom, *Davis (Washington), *Montgomery, *Bowers, *Arriola. (SB1789 by *Harper, *Trail, *Burchett, *Burks)

Further consideration of House Bill No. 1624 previously considered on today's Calendar.

On motion, House Bill No. 1624 was made to conform with **Senate Bill No. 1789**; the Senate Bill was substituted for the House Bill.

Rep. Stanley moved that Senate Bill No. 1789 be reset for the Regular Calendar on May 23, 2001, which motion prevailed.

House Bill No. 1255 -- Fiscal Review Committee - Requires staff of fiscal review committee to prepare statement for each general bill that mandates coverage of health insurance benefits; statement to include cost impact to individual policy holder or enrollee in managed health care plan and insurer, stating reasons if no estimate can be given. Amends TCA Title 3, Chapter 2, Part 1. by *Head, *Newton. (*SB987 by *Kurita)

Further consideration of House Bill No. 1255 previously considered on today's Calendar.

On motion, House Bill No. 1255 was made to conform with **Senate Bill No. 987**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 987 be passed on third and final consideration.

WEDNESDAY, MAY 16, 2001 – THIRTY-NINTH LEGISLATIVE DAY

Rep. Odom moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 987 by adding the following language between the first and second sentences of the second unnumbered paragraph of Section 1 of the printed bill:

In assessing costs, the committee staff shall consider and include any estimated long-term cost savings resulting from the mandated coverage, including but not limited to savings related to prevention and early detection of disease, including chronic disease.

On motion, Amendment No. 1 was adopted.

Rep. Head moved that Senate Bill No. 987 be reset for the Regular Calendar on May 23, 2001, which motion prevailed.

House Bill No. 875 -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56. by *Kisber, *Jones, S.. (*SB333 by *Clabough)

Further consideration of House Bill No. 875 previously considered on today's Calendar.

Rep. Kisber moved that House Bill No. 875 be reset for the Regular Calendar on May 17, 2001, which motion prevailed.

UNFINISHED BUSINESS

SPECIAL ORDER

Rep. Turner (Hamilton) moved that **House Bill No. 1749**, placed on the Regular Calendar for Thursday, May 17, 2001, be reset for the Regular Calendar on Monday, May 21, 2001, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 209: Rep(s). Bone as prime sponsor(s).

House Bill No. 227: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 241: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 306: Rep(s). Pleasant as prime sponsor(s).

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House Bill No. 493: Rep(s). Pleasant as prime sponsor(s).
House Bill No. 572: Rep(s). Pleasant as prime sponsor(s).
House Bill No. 1155: Rep(s). U. Jones as prime sponsor(s).
House Bill No. 1411: Rep(s). Pleasant as prime sponsor(s).
House Bill No. 1449: Rep(s). Bone as prime sponsor(s).
House Bill No. 1460: Rep(s). Windle as prime sponsor(s).
House Bill No. 1466: Rep(s). Naifeh as prime sponsor(s).
House Bill No. 1510: Rep(s). McDaniel as prime sponsor(s).
House Bill No. 1802: Rep(s). Naifeh as prime sponsor(s).

**ENGROSSED BILLS
May 16, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 298, 373, 374, 376, 377, 379, 380, 381, 382, 383, 384, 385, 386 and 387.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 16, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 257; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 16, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 333; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 333** -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56, by *Clabough. (HB875 by *Kisber, *Jones, S.)

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1633; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1529; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1469; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 180, 700, 818, 898, 1136, 1202 and 1721; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

May 16, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 289, 729, 1203, 1229, 1278 and 1889.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1387; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

May 16, 2001

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 84, 86, 87 and 88; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 16, 2001

The Speaker signed the following: House Resolution(s) No(s). 84, 86, 87 and 88.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 377; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 984 and 1482; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 349, 358, 359, 361, 362, 363, 364, 365, 366, 367 and 368; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
May 16, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 60, 114, 117, 296, 690, 737, 759, 1661 and 1798; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 60** -- Sunset Laws - Department of human services, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Harper. (HB931 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 114** -- Sunset Laws - Department of mental health and developmental disabilities, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Harper. (HB921 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 117** -- Sunset Laws - Department of mental health and development disabilities, statewide planning and policy council, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 1. by *Harper. (HB922 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 296** -- Criminal Procedure - Defines and codifies "lesser included" criminal offenses and establishes rules for their use in criminal justice system. Amends TCA Section 40-18-110. by *Haynes. (HB712 by *Sands)

Senate Bill No. 690 -- Hospitals and Health Care Facilities - Establishes Center for Stroke Care Excellence at hospital in each grand division of state. Amends TCA Title 68. by *Ford J. (*HB368 by *Bowers)

Senate Bill No. 737 -- Child Custody and Support - Assesses penalty of \$100 per day against department of human services for each day from 10 days after lien for failure to pay child support under centralized collection and disbursement system has been satisfied and department has failed to release lien. Amends TCA Title 36, Chapter 5. by *Fowler. (*HB418 by *Bunch)

Senate Bill No. 759 -- Hospitals and Health Care Facilities - Creates new class of health care facilities for facilities with less than 25 beds for purposes of assessing health care facility fees based on number of beds. Amends TCA Section 68-11-216. by *Henry, *Dixon. (*HB145 by *Arriola, *DeBerry L)

Senate Bill No. 1661 -- Health, Dept. of - Raises minimum number of residents to constitute home for aged; authorizes department of health to investigate facilities for licensure compliance. CAVEAT: The TCA citation in the caption is incorrect. Amends TCA Title 68, Chapter 11, Part 2. by *Fowler, *Clabough. (*HB1384 by *Davis (Cocke), *Ford S)

***Senate Bill No. 1798** -- Public Health - Requires inspection fees for medical radiation machines be set amount; removes condition that lower inspection fee be based on requirement that all medical radiation machines be inspected by qualified individual within specified times. Amends TCA Section 68-202-503. by *Haynes. (HB1736 by *West)

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 680.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 2.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

May 16, 2001

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 180, 700, 818, 898, 984, 1136, 1202, 1482, 1721, also, House Joint Resolution(s) No(s). 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 349, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368 and 377.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 16, 2001

The Speaker signed the following: House Bill(s) No(s). 180, 700, 818, 898, 984, 1136, 1202, 1482, 1721; also, House Joint Resolution(s) No(s). 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 349, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368 and 377.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 16, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 180, 700, 818, 898, 984, 1136, 1202, 1482, 1721; also, House Joint Resolution(s) No(s). 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 349, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368 and 377; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 16, 2001

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 180, 700, 818, 898, 984, 1136, 1202, 1482, 1721; also, House Joint Resolution(s) No(s). 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 349, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368 and 377.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, May 17, 2001.